

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 1:04CR162-P-D

ERIC BRADSHAW,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's Motion to Continue Trial Setting and Scheduling Order Deadlines [25-1]. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for May 23, 2005. Defense counsel avers that he needs additional time to investigate the veracity of a confidential information whose testimony is likely material to the instant prosecution. Further, the Government has indicated that there is impeachment material available that has not yet been received.

The Government has no objection to the trial continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from May 23, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant's Motion to Continue Trial Setting and Scheduling Order Deadlines [25-1]

is hereby **GRANTED**;

(2) Trial of this matter is continued until Tuesday, July 19, 2005, at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from May 23, 2005 to July 19, 2005 is excluded as set out above;

(4) The deadline for filing pretrial motions is June 28, 2005; and

(5) The deadline for submitting a plea agreement is July 5, 2005.

SO ORDERED, this the 10th day of May, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE